

BILL ANALYSIS

Senate Research Center

S.B. 1525
By: Madla
Health Services
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Enrolled

DIGEST

In 1983, under the Licensed Dietitian Act, the profession of dietetics was licensed. This Act is administered by the Texas State Board of Examiners of Dietitians (board), an independent state agency administratively attached to the Texas Department of Health. Licensed dietitians provide services including nutrition assessments, planning, counseling, care management, and evaluation as part of the health care delivery team, usually upon the order or referral of a physician or other practitioner. An individual who wants to qualify for licensure must have a baccalaureate degree in nutrition, dietetics, or a similar degree program from a regionally approved college or university, a supervised internship under the supervision of a licensed dietitian, and passed a state-administered or approved licensure examination. S.B. 1525 will add "medical nutrition therapy" to the services provided by a licensed dietitian, and will authorize the board to determine the qualifications of licensees that provide nutrition services.

PURPOSE

As enrolled, S.B. 1525 adds the definition of "medical nutrition therapy" to the services provided by a licensed dietitian, and grants rulemaking authority to the Texas State Board of Examiners of Dietitians.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas State Board of Examiners of Dietitians in SECTION 2 (Section 6(d), Article 4512h, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2, Article 4512h, V.T.C.S. (Licensed Dietitian Act), to redefine "nutrition services" and to define "medical nutrition therapy." Makes conforming and nonsubstantive changes.

SECTION 2. Amends Section 6, Article 4512h, V.T.C.S., by adding Subsection (d), to authorize the Texas State Board of Examiners of Dietitians (board) to adopt procedures and standards necessary to determine the qualifications of a person licensed under this Act to provide nutrition services under a law administered by another state agency. Provides that the board is the only state agency authorized to determine the qualifications of a person licensed under this Act to provide those services, notwithstanding any other law or rule. Provides that this subsection does not limit the authority of a person licensed to practice medicine to make a delegation authorized under Section 3.06(d), Article 4495b, V.T.C.S.

SECTION 3. Amends Section 15, Article 4512h, V.T.C.S., by amending Subsection (c) and adding Subsection (d), as follows:

(c) Provides that a person may not for compensation provide nutrition services or hold that person out as authorized by law to provide nutrition services, unless the person is licensed under this Act.

(d) Makes conforming changes.

SECTION 4. Amends Article 4512h, V.T.C.S., by adding Section 15A, as follows:

Sec. 15A. CONSTRUCTION OF ACT. (a) Defines “giving advice concerning nutrition” and “providing nutritional advice.”

(b) Provides that a person who gives advice concerning nutrition or provides nutritional advice, without receiving compensation for the advice, is not required to be licensed under this Act, subject to Section 15 of this Act.

(c) Provides that this section does not grant a person certain authorities.

SECTION 5. Amends Article 4512h, V.T.C.S., by adding Section 15B, as follows:

Sec. 15B. NUTRITION SERVICES EXEMPTIONS. Sets forth exemptions to the provision of nutrition services.

SECTION 6. Effective date: September 1, 1999.

SECTION 7. Emergency clause.